

**Overview**

This standard is about providing clients with direct money management and debt information and advice at the point of initial contact with the service. You will establish their needs and expectations of services, research information which is relevant to their situations and provide them with appropriate and accurate legal advice. You will also know when to refer clients on to alternative or more specialist sources of advice.

Provide first line money and debt legal advice

---

## Performance criteria

*You must be able to:*

1. communicate with the client in a manner appropriate to their understanding and needs
2. explain to clients the legal advice services you can offer in line with organisational requirements
3. check clients' understanding of legal advice services is consistent with information you have provided
4. agree with clients their legal advice requirements in line with relevant legislation, policies and procedures
5. agree with clients any situations which require immediate action and take steps to implement in line with their requirements
6. explain the organisation's systems and procedures for working with clients
7. analyse available client information to assign relevance to their case in line with your professional judgement
8. record client details and agreed actions in line with organisational requirements
9. review sources of information to assess applicability to clients' situations
10. check that information obtained enables you to advise clients
11. analyse information received from clients and the research process to formulate options in line with clients' needs
12. present clients with information and possible options for action in line with organisational requirements
13. advise clients on the implications of possible options in line with organisational requirements
14. check clients' understanding of the advice offered in line with organisational requirements
15. agree actions required by you and clients in line with organisational requirements
16. recognise where a clients requirements fall outside of the service and
17. signpost or refer to other relevant organisation

Provide first line money and debt legal advice

## Knowledge and understanding

*You need to know and understand:*

1. how to adapt communication styles in ways which are appropriate to the needs of the client
2. key areas of the legislative framework relating to consumer credit and debt in your jurisdiction
3. why it is important to gather information about clients' circumstances
4. the key components of a statement of income and expenditure, and why it is important to prepare one with clients
5. banking options for clients, including:
  - 5.1 information on payment methods and how to alter or cancel payments
  - 5.2 when it is appropriate to set up a new account
  - 5.3 procedures for first right of appropriation
6. how to establish the extent and nature of clients' debt
7. how the extent and nature of clients' debt can affect the advice they are given
8. what should be contained within credit agreements
9. what situations could constitute an emergency for clients in relation to their debts and money management
10. types of emergency action that can be taken in particular circumstance
11. the nature of creditor information to enable the debtor to be offered a full range of options
12. ways of maximising income and reducing expenditure
13. how to use credit reference report information, and the implications for making credit reference report requests
14. how to prioritise debts in terms of:
  - 14.1 severity of creditor sanction
  - 14.2 potential client detriment
15. how to develop and select strategies for addressing debt situations
16. payment methods that can be adopted by the client
17. debt solutions
18. the importance of opening and continuing negotiations with creditors
19. how to develop a strategy for dealing with creditors
20. the use of clients' financial statement as a tool for negotiating with their creditors
21. procedures for debt recovery through the courts
22. possible consequences of non-compliance with court proceedings
23. possible defences in relation to debt

Provide first line money and debt legal advice

---

- 24. official guidelines and codes of practice relating to:
  - 24.1 credit arrears management
  - 24.2 debt recovery, repossession
  - 24.3 fair treatment of customers
  - 24.4 debt management
- 25. legislation and organisational procedures in your jurisdiction relating to fraudulent activity

Provide first line money and debt legal advice

---

**Developed by** Skills for Justice

---

**Version Number** 3

---

**Date Approved** February 2019

---

**Indicative Review Date** February 2024

---

**Validity** Current

---

**Status** Original

---

**Originating Organisation** Skills for Justice

---

**Original URN** SFJ IB11

---

**Relevant Occupations** Legal Advisers; Legal Associate Professionals

---

**Suite** Legal Advice

---

**Keywords** First point of contact; referral to specialist advice; provide information; finances; owed; debt management; money management; creditors

---